

DRAFT

LCR MSCP Program Decision: 05-001

June 15, 2005

Subject: Process for Receiving and Utilizing Financial Credit for LCR MSCP Work Tasks Performed in FY 2004 and FY 2005

On January 22, 2004, the Steering Committee passed the following resolution regarding financial credit:

“WHEREAS, the Lower Colorado River Multi-Species Conservation Program (LCR MSCP) has multiple participants who will be providing financial support for implementation of the LCR MSCP; and

WHEREAS, implementation of the LCR MSCP is expected to begin as early as November 2004; and

WHEREAS, some participants have resources available to begin certain implementation activities early; and

WHEREAS, those participants need credit for early implementation activities; and

WHEREAS, the Steering Committee of the Lower Colorado River Multi-Species Conservation Program needs a process for the participants to request financial and/or habitat credit from the U.S. Fish and Wildlife Service (FWS) for conservation actions for the LCR MSCP accomplished, prior to implementation of the LCR MSCP; and

WHEREAS, concurrence of the FWS is required for that credit;

THEREFORE BE IT RESOLVED, that the LCR MSCP participants will submit items to consider for potential financial and/or habitat credit to the Bureau of Reclamation for initial review and recommendation to a Technical Review Committee for further review and recommendation to the Steering Committee at an official meeting. Sufficient documentation will be provided as part of the request. The Steering Committee will provide approval or disapproval of the items submitted for financial and/or habitat credit at the next official meeting. If approved, the notification of a request for financial and/or habitat credit will be forwarded to the FWS.”

FY 2004 Financial Credit

Reclamation submitted a request for financial credit of approximately \$3.4 million for work tasks and obligations completed in fiscal year 2004 to the Steering Committee members in April 2005. The request was reviewed by a Technical Review Committee (Tech Committee) and updated to address concerns and comments. The request will then

follow the process approved by the Steering Committee (outlined above). Once comments are received from FWS, Reclamation will summarize the process, outline any significant issues and how they were addressed, document the financial credit and certify the expenditure of funds and make this information available to the Steering Committee.

FY 2005 Financial Credit

The request for 2005 financial credit will follow the process approved by the Steering Committee (outlined above). In May 2005, Reclamation provided a draft fiscal year 2005 work plan to the Steering Committee which was subsequently reviewed by a Tech Committee. Reclamation will update and finalize the proposal to include actual expended dollars which will accompany the recommendation from the Tech Committee to the Steering Committee. The request will then be forwarded to FWS for review and comment. Once comments are received from FWS, Reclamation will summarize the process, outline any significant issues and how they were addressed, document the financial credit and certify the expenditure of funds and make this information available to the Steering Committee.

Utilizing Financial Credit

The goal of seeking financial credit for work completed in FY 2004 or FY 2005 is to accurately account for the cost of tasks directly associated with implementing the Habitat Conservation Plan (HCP). As outlined in Section 8.1.2 of the Funding and Management Agreement (Agreement), this financial credit can be used against future funding obligations. In accordance with 8.7.4 of the Agreement, use of this credit will require the agreement of the Program Manager and the Steering Committee. Thus, the future use of financial credit should be acknowledged in the annual work plan that Reclamation prepares and submits to the Steering Committee.

Action: Consensus reached on (current date) by Steering Committee